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# TRANSMITTAL FORM

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Total Number of Pages in This Submission

--57--

Application Number

10/565,657

Filing Date

Oct. 5, 2006 (371(c) Date)

First Named Inventor

Neel Kumar ANAND

Art Unit

1625

Examiner Name

Zinna Northington DAVIS

Attorney Docket Number

EX04-017C-US

## ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
  - 1) Second Preliminary Amendment (56 pages).
  - 2) Return Receipt Postcard.

### Remarks

Please note that this submission and its attachments were sent via Express Mail, Post Office to Addressee, via tracking number EV 938 354 435 US, on January 28, 2009.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Exelixis, Inc.		
Signature			
Printed name	Janice V. Rice		
Date	January 28, 2009	Reg. No.	50,606

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Laura A. Huntington	Date	January 28, 2009

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**First named Inventor:** Anand, Neel Kumar

**Application No.:** 10/565,657

**371(c) Date:** October 5, 2006

**Group Art Unit:** 1625

**Confirmation No.:** 6136

**Examiner:** Davis, Zinna Northington

**Title:** Anaplastic Lymphoma Kinase Modulators and Methods of Use

**SECOND PRELIMINARY AMENDMENT**

Commissioner for Patents  
Post Office Box 1450  
Washington, D.C. 22313-1450

Dear Sir:

Please enter the following amendments to the Specification, cancel Claims 1-30, and add new Claims 31-58. No new matter is added and support for the changes can be found throughout the Specification.

Amendments to the Specification begin on page 2 of this correspondence.

Cancellation of claims and addition of new claims are given in the listing of Claims which begins on page 9 of this correspondence.

Remarks begin on page 56.